UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,326	06/11/2002	Amardiya Sesmun	040025-000000US	4556

7590   08/09/2005

Darin J Gibby
Townsend & Townsend & Crew
8th Floor
Two Embarcadero Center
San Francisco, CA 94111-3834

EXAMINER
SWEARINGEN, JEFFREY R

ART UNIT	PAPER NUMBER
2145	

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/070,326	SESMUN ET AL.
	Examiner	Art Unit	
	Jeffrey R. Swearingen	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _04 March 2002_.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-8_ is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-8_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _11 June 2002_ is/are: a)☐ accepted or b)☒ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☒ All b)☐ Some * c)☐ None of:

    1.☒ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
    application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _8/19/02_.
4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   The preliminary amendment of March 4 2002 has been entered into the record.

Information Disclosure Statement

2.   The listing of references in the specification is not a proper information disclosure statement. 37

CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by

the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must

be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on

form PTO-892, they have not been considered.

Drawings

3.   Color photographs and color drawings are not accepted unless a petition filed under 37 CFR

1.84(a)(2) is granted. Any such petition must be accompanied by the appropriate fee set forth in 37 CFR

1.17(h), three sets of color drawings or color photographs, as appropriate, and, unless already present,

an amendment to include the following language as the first paragraph of the brief description of the

drawings section of the specification:

> The patent or application file contains at least one drawing executed in color. Copies of this patent or
> patent application publication with color drawing(s) will be provided by the Office upon request and
> payment of the necessary fee.

Color photographs will be accepted if the conditions for accepting color drawings and black and

white photographs have been satisfied. See 37 CFR 1.84(b)(2).

4.   The Examiner is unclear what Applicant is attempting to note on page 38, line 4 of the disclosure

which refers to a "blue circle" present in the drawings but not readily apparent to the Examiner or one of

ordinary skill in the art in any of the drawings.

Specification

5.   The lengthy specification has not been checked to the extent necessary to determine the

presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of

which applicant may become aware in the specification. The Examiner has noted several minor

grammatical errors, which can be fixed by a thorough proofreading by Applicant.

6.   The attempt to incorporate subject matter into this application by reference to specifications

authored by the International Telecommunications Union and the Internet Engineering Task Force and a

proposed (at time of application) Mobile IPv6 protocol is ineffective because it is not stated that such

references are "incorporated by reference". The incorporation by reference will not be effective until

correction is made to comply with 37 CFR 1.57(b), (c), or (d). If the incorporated material is relied upon to

meet any outstanding objection, rejection, or other requirement imposed by the Office, the correction

must be made within any time period set by the Office for responding to the objection, rejection, or other

requirement for the incorporation to be effective. Compliance will not be held in abeyance with respect to

responding to the objection, rejection, or other requirement for the incorporation to be effective. In no

case may the correction be made later than the close of prosecution as defined in 37 CFR 1.114(b), or

abandonment of the application, whichever occurs earlier.

7.   Any correction inserting material by amendment that was previously incorporated by reference

must be accompanied by a statement that the material being inserted is the material incorporated by

reference and the amendment contains no new matter. 37 CFR 1.57(f).

8.   The disclosure is objected to because it contains an embedded hyperlink and/or other form of

browser-executable code. See page 7, line 13 of disclosure. Applicant is required to delete the

embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

9.   The disclosure is objected to because of the following informalities: The use of brackets

improperly in the disclosure is improper – see page 27, line 18 for an example.

        Appropriate correction is required.

10.   The use of the trademark Oracle has been noted in this application. It should be capitalized

wherever it appears and be accompanied by the generic terminology.

        Although the use of trademarks is permissible in patent applications, the proprietary nature of the

marks should be respected and every effort made to prevent their use in any manner which might

adversely affect their validity as trademarks.

Claim Objections

11.   Claim 1 is objected to because of the following informalities: a grammatical error in line 9 should

be changed from 'and' to 'an'. Claim 4 is objected to because of a grammatical error in line 10. Claim 8

is objected to because of line 9 referring to a 'sever'. Appropriate correction is required.

Claim Rejections - 35 USC § 102

12.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for

the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

13.   Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Wang (U.S. Patent No.

6,614,774).

14. .   In regard to claim 1, Wang discloses *a mobile terminal is associated with said domain and with a*

first subnet within said domain, said name server stores a name of said mobile terminal, a permanent

address for said mobile terminal, and a second address which includes an identification of said first

subnet, whereby input to the network of said name for said mobile terminal causes said name server to

output said second address; and when said mobile terminal moves to a second subnet within said

domain, said name server changes said second address to a third address which third address contains

and identification of said second subnet, whereby input to the network of said name for said mobile

terminal causes said name server to output said third address. Applicant has claimed a basic Mobile IP

system. Wang discloses a Mobile IP system that meets Applicant's limitations. See Wang, column 3, line

63 – column 4, line 14. See Wang, column 7, lines 27-60. See Wang, column 9, lines 3-17.

15.   In regard to claim 2, Wang is applied as in claim 1. Wang further discloses *the network has a second domain, said second domain having at least one subnet, wherein, when said mobile terminal moves to said at least one subnet of said second domain, said name server changes said second or third address to a fourth address, which fourth address contains an identification of said at least one subnet of said second domain, whereby input to the network of said name for said mobile terminal causes said name server to output said fourth address.* Wang discloses a Mobile IP system with dynamic updates of IP addresses. See Wang, column 8, lines 17-47. Applicant has substantively claimed dynamic updating of a Mobile IP network, which is covered by the Wang reference as cited above.

16.   In regard to claim 3, Wang is applied as in claim 2. Wang further discloses *said second domain has a second name server associated therewith and when said mobile terminal moves to said at least one subnet of said second domain, said second name server stores a fifth address, which fifth address contains an identification of said at least one subnet of said second domain.* As in claim 2, Applicant has claimed dynamic updates for a Mobile IP system. Wang discloses dynamic updating of the DNS in a Mobile IP system in column 8, lines 17-47.

17.   In regard to claim 4, Wang discloses *a mobile terminal is first associated with one of said domains and a first subnet within said one of said domains, the name server of said one of said domains storing a name for said mobile terminal and an address of said mobile terminal, which address includes an identifying identification of said first subnet, and an address of said mobile terminal, whereby the input to the network of said name for said mobile terminal causes said name server of said one of said domains to output said address; and when said mobile terminal moves to a another subnet associated with a second one of said domains, the name server of said second one of said domains stores said name for said mobile terminal and another address for said mobile terminal, which another address includes an identification of said another subnet, and said name server of said one of said domains stores said name of said mobile terminal and an address of said name server of said second one of said domains, whereby the input to the network of said name for said mobile terminal causes the name server of said one of said domains to output the address of said name server of said second one of said domains, and causes said name server of said second one of said domains to output said another address.* Wang discloses a*

Mobile IP system that meets Applicant's limitations. See Wang, column 3, line 63 – column 4, line 14.

See Wang, column 7, lines 27-60. See Wang, column 9, lines 3-17.

18.   In regard to claim 5, Wang is applied as in claim 4. Wang further discloses *when said mobile*

terminal moves to a third subnet associated with said one of said domains, said name server of said one

of said domains changes said address of said mobile terminal whereby said changed address includes

and (sic) identification of said third subnet. Wang discloses dynamically updating the DNS lookups in

column 8, lines 17-47, which substantially covers the limitations of this claim.

19.   In regard to claim 6, Wang is applied as in claim 4. Wang further discloses *when said mobile*

terminal moves to a fourth subnet associated with said second one of said domains, said name server of

said second one of said domains further changes said another address of said mobile terminal, whereby

said further changed address includes an identification of said fourth subnet. Wang discloses

dynamically updating the DNS lookups in column 8, lines 17-47, which substantially covers the limitations

of this claim.

20.   In regard to claim 7, Wang discloses *a domain being a name server associated therewith, said*

domain having a plurality of subnets, said mobile terminal initially being in a first subnet within said

domain, wherein: said name server is initially arranged to store a name and first and second addresses

for at least one of said mobile terminals, which second address includes an identification of said first

subnet, said mobile terminal being associated with the input to said communication means of said name

for said mobile terminal is arranged to cause said name server to output the second address; and when

said mobile terminal moves from said first to said second subnet, said name server is arranged to change

said second address to a third address, which third address includes an identification of said second

subnet, whereby the input to said communication means of said name for said mobile terminal is

arranged to cause said name server to output said address. Wang discloses a Mobile IP system that

meets Applicant's limitations. See Wang, column 3, line 63 – column 4, line 14. See Wang, column 7,

lines 27-60. See Wang, column 9, lines 3-17. Column 8, lines 17-47 deals with DNS lookups and

dynamic updates, which covers the additional limitations of *when said mobile terminal moves from said*

first to said second subnet, said name server is arranged to change said address to a third address,

which third address includes an identification of said second subnet, whereby the input to said

communication means of said name for said mobile terminal is arranged to cause said name server to

output said address.

21.   In regard to claim 8, Wang discloses *the name server of a first one of said domains is arranged to*

store a name and an address for one of said mobile terminals, which address includes an identification of

said first subnet, said mobile terminal being associated with said first one of said domains and a first

subnet within said one of said domains, whereby the input to said communication means of said name for

said mobile terminal is arranged to cause said name sever of said first one of said domains to output said

address; and the name server of a second one of said domains is arranged to store said name for said

one of said mobile terminals and another address for said mobile terminal when said mobile terminal

moves to a second subnet associated with a second one of said domains, said another address including

an identification of said second subnet and said name server of said second one of said documents and

an address of said name server of said second one of said domains, whereby the input to the network of

said name for said mobile terminal is arranged to cause the name server of said second one of said

domains, and to cause said name server of said second one of said domains to output said another

address. Applicant has claimed a basic Mobile IP system. Wang discloses a Mobile IP system that

meets Applicant's limitations. See Wang, column 3, line 63 – column 4, line 14. See Wang, column 7,

lines 27-60. See Wang, column 9, lines 3-17.

Conclusion

22.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Applicant's invention discusses basic Mobile IP functions, which are covered in the following

articles.

Perkins, Charles E. "Mobile Networking Through Mobile IP". IEEE Internet Computing, January-

February 1998, 58-69.

Perkins, Charles E. "Mobile IP". IEEE Communications Magazine, May 1997. 84-99.

Perkins, Charlie. "Mobile IP and Security Issue: An Overview." Internet Technologies and Services, 1999. 131-148.

Perkins, Charles E. "Mobile-IP, Ad-Hoc Networking, and Nomadicity." Computer Software and Applications Conference, 1996. COMPSAC '96 Proceedings. August 21-23, 1996. 472-476.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey R. Swearingen whose telephone number is (571) 272-3921. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on 571-272-6159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PATRICE WINDER
PRIMARY EXAMINER